Blaney McMurtry LLP

Dr. Gary Srebrolow

Partner

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CALLED TO THE BAR OF ONTARIO, 2005

EDUCATION

- J.D.,Osgoode Hall Law School, 2004
- D.D.S.,University of Toronto, 1989
- B.Sc.,Human Biology,University of Toronto, 1985

PRACTICE AREAS

- Insurance Litigation
- Health Law
- Cyber, Information and Privacy Risk
- Regulatory and Compliance

When dentists and other health professionals require legal advice, they turn to Dr. Gary Srebrolow because of the unique medical-dental perspective he brings to his dental law practice. As a health law lawyer, Gary understands what it is like to be on the “front lines” of providing health care, as he was a practising dentist for many years before he became a lawyer. Gary is also the Chair of the Health Law Group.

Gary is a well-rounded insurance defence litigator as well. Insurance companies rely on him because of his attention to detail, expertise and good results in defending many other professionals in malpractice claims.

Dental Law - Regulatory (RCDSO) Matters:
Gary’s knowledge of dentistry gives him an advantage in terms of understanding the strengths and weaknesses of a dental College case and what is needed to obtain a favourable result.

Dentist clients have retained Gary for the following professional regulatory matters:

- Defence of College (RCDSO) dental complaints and Registrar’s investigations
- Representation at Discipline Hearings

- Defence of Fitness to Practice investigations;
- Representation in Registration/Certification matters
- Insurance company billing audits and investigations
- Preventive action to avoid legal problems (i.e. dental complaint or dental malpractice lawsuit)
- Appeal of Dental Certification Exams (NDEB and RCDC)

Dental Law - Dental Practice legal advice:

Dentists are business people too and they turn to Gary for legal advice when their partnership/cost share arrangement/dental associateship comes to an untimely end.

Gary provides legal advice for the following dental business matters:

- Litigation/Arbitration for partner, cost share and associate break-ups
- Dental purchase and sale disputes and litigation
- Drafting of agreements (partnership, associate and cost-sharing)
- Professional corporation formation
- Employment issues/litigation

Health Law - Other Health Professionals - Regulatory Matters and Malpractice Defence

Gary has also successfully represented numerous other health professionals in professional regulation matters (i.e. complaints, investigations, registration appeals, exam appeals, privacy matters, etc.) and this includes a long history of representing the following:

- Pharmacists
- Naturopaths and Dietitians
- Physiotherapists and Massage Therapists
- Dental Hygienists

In addition, Gary has also represented the following health care professionals in defending regulatory matters:

- Physicians
- Nurses
- Chiropractors
- Optometrists
- Psychotherapists, Psychologists and Social Workers
- Chinese Medicine Practitioners

Gary has also successfully defended health professionals and health care clinics in defending medical and other health care malpractice claims. Clients rely on Gary because he understands scientific and complex medical issues.

Legal Opinions for Specialized Health Care Ventures

Gary also provides legal advice and opinions for health care professionals and entrepreneurs interested in establishing innovative and specialized health care ventures, including but not limited to executive medical clinics, cosmetic medical centres, “private” surgical centres, mobile medical centres, dialysis clinics and diagnostic imaging centres. This advice often involves determining if a planned health care venture is in compliance with regulatory rules and applicable legislation. Gary also represents patients who wish to appeal denials by OHIP for reimbursement for out of country medical care costs.

Insurance Defence Lawyer

Gary’s practice also involves insurance defence. Insurers have turned to Gary to defend engineers, police officers, governmental agencies, security guards, architects, designers and contractors in litigation claims. Clients appreciate Gary’s scientific background and analytical approach in defending these types of claims.

Teaching Health Professionals

2016 - Present

Lecturer at University of Toronto Faculty of Dentistry on an Annual Basis for 3rd Year and 4th Year Dental Students for Practice Administration Course on Risk Management Advice (avoiding complaints and lawsuits)

2014 - Present

Seminar Leader at University of Toronto Faculty of Medicine on an Annual Basis for Clerks and Medical Students on Medical Professional Legal Issues and Informed Consent

2021 - 2022

Lecturer to Naturopathic Doctor Members of the Canadian Association of Naturopathic Doctors on Insurance Billing, Advertising, Telemedicine and Personal-Professional Boundaries

EXPERIENCE

- Obtained dismissal of complaints for numerous health

professionals before their respective regulatory Colleges at early stage of process - without any publication of decision/findings and by avoiding a referral to a discipline hearing.

- Frequently and successfully represents dentists, pharmacists, naturopaths, physiotherapists, massage therapists and other health professionals in complaints and investigations before their respective regulatory Colleges and obtains favourable outcomes.
- Dismissal of complaint against dentist that alleged performance of unnecessary fillings without consent.
- Successful negotiations on behalf of dentists with regard to dental practice audits and requests for reimbursement.
- Obtained reimbursement for dentist (purchaser) from purchase price due to post-purchases issues.
- Represented dentists in litigation/arbitration in practice break up and able to secure desired practice location for clients.
- Successful defence of complaints against pharmacists in complaints/investigations alleging dispensing errors and other issues.
- Successful defence of complaints against naturopaths in complaints/investigations alleging advertising infractions and other issues.
- Successfully provided advice to foreign trained medical specialist with “red flags” in becoming certified to practice before the CPSO.
- Dismissal of complaint against physiotherapist alleging that they fraudulently billed for several hundred thousand dollars in claims.
- Appeared before the Registration Committee of the RCDSO and obtained certificate of registration for dentist despite past involvement in dental school discipline.
- Successful representation of numerous health care professionals before the Health Professions Appeal and Review Board (HPARB) and able to have complaint dismissals upheld.
- Successful Judicial Review decision before The Ontario Divisional Court in a case involving a compassionate appeal decision by the National Dental Examining Board of Canada (NDEB).
- Appeared before the Ontario Superior Court of Justice and Divisional Court on numerous civil litigation matters and motions.

RECOGNITION

- Recognized by *Best Lawyers® in Canada* 2026 in the area of Health Care Law; Personal Injury Litigation
- Recognized by *Best Lawyers® in Canada* 2025 in the area of Health Care Law

MEMBERSHIPS

- Law Society of Ontario
- Ontario Bar Association - Health Law, Insurance Law and Civil Litigation sections

RELATED SPEAKING ENGAGEMENTS

- March 15, 2023
  Speaker, A comparison of the damages awarded and key issues in various Healthcare jurisdictions

IN THE MEDIA

- August 28, 2024
  Lexpert speaks to Dr. Gary Srebrolow about virtual healthcare law in a post-COVID, AI-driven world